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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,<sup>1</sup>

Debtors.

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Chapter 11  
Case No. 08-35653  
Jointly Administered

**MOTION TO APPEAR *PRO HAC VICE* PURSUANT  
TO LOCAL BANKRUPTCY RULE 2090-1 (E) (2)**

Philip C. Baxa, (“Movant”), a member in good standing of the bars of and admitted to practice in, the Commonwealth of Virginia and the State of Maryland, and admitted to practice before, among other courts, the United States Bankruptcy Court for the Eastern District of Virginia (“the Court”), and a partner with MercerTrigiani LLP, hereby moves (“the Motion”) this Court to enter an order, the proposed form of which is attached hereto as Exhibit A,

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<sup>1</sup>The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courcheval, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. is 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address is 9950 Mayland Drive, Richmond, Virginia 23233.

authorizing Stephen W. Spence (“the Admittee”) with Phillips, Goldman & Spence, P.A. (“PG&S”) to appear *pro hac vice* before this Court to represent Dicker-Warmington Properties, a California Limited Partnership, in the above-referenced bankruptcy case pursuant to Rule 2090-1(E) (2) of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia (“the Local Bankruptcy Rules”). In support of the Motion, the Movant states as follows:

1) Stephen W. Spence is a director and shareholder in the Law firm of Phillips, Goldman & Spence, P.A. with its main office located at 1200 North Broom Street, Wilmington, Delaware 19806. Mr. Spence is admitted to practice in, and has appeared regularly before, the United States Bankruptcy Court for the District of Delaware and other bankruptcy courts. He is admitted, practicing, and in good standing as a member of the bars of the State of Delaware and State of Pennsylvania. Among other courts, he is admitted to practice before the U.S. Third Circuit Court of Appeals, the U.S. District Court for the District of Delaware and the U.S. District Court for the Eastern District of Pennsylvania. Mr. Spence has represented numerous privately held companies in out-of-court restructurings, chapter 11 reorganizations, has acted a chapter 11 plan trustee and represents numerous creditors in chapter 11, 7 and 13 proceedings. Mr. Spence has been practicing law since 1981. There are no disciplinary proceedings pending against Mr. Spence.

2) The Movant requests that this Court grant this Motion so that the Admittee may appear and be heard at hearings in these chapter 11 cases.

**WAIVER OF MEMORANDUM OF LAW**

3) Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in this Motion, the Debtors request that this Court waive the requirement that all motions be accompanied by a written memorandum of law.

**NO PRIOR REQUEST**

4) No prior request for the relief sought herein has been made to this Court in these bankruptcy cases or to any other court.

WHEREFORE, the Movant respectfully requests that this Court enter an order, substantially in the form attached hereto as Exhibit A, (i) authorizing the Admittee to appear *pro hac vice* in association with the Movant as attorneys for Dicker-Warmington, a California Limited Partnership and (ii) granting such other and further relief as is just and proper.

Dated: Richmond, VA  
December 18, 2008

Respectfully submitted,  
  
MERCER TRIGIANI, LLP

/s/ Philip C. Baxa  
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Local counsel to Dicker-Warmington

**CERTIFICATE OF SERVICE**

I, PHILIP C. BAXA, ESQUIRE hereby certify, that on December 18, 2008, I electronically filed the foregoing *Motion to Appear Pro Hac Vice Pursuant to Local Bankruptcy Rule 2090-1 (E) (2)* with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day by transmission of Notice of Electronic Filing generated by CM/ECF to those parties registered to receive electronic notices of filing in this case. I also certify that the foregoing document is being sent by regular, first class U.S. mail, postage prepaid to the following:

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/s/ Philip C. Baxa  
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